UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION) MDL No.1456)) Master File No. 01-CV-12257-PBS) Subcategory No. 06-CV-11337-PBS)
THIS DOCUMENT RELATES TO:)) Judge Patti B. Saris)
United States of America ex rel. Ven-A-Care of the Florida Keys, Inc., et al. v. Boehringer Ingelheim Corporation, et al., Civil Action No. 07-10248-PBS) Magistrate Judge Marianne B. Bowler))))

SUPPLEMENTAL DECLARATION OF JAMES J. FAUCI SUBMITTING EXHIBITS IN SUPPORT OF PLAINTIFFS' RESPONSE TO ROXANE DEFENDANTS' SUPPLEMENTAL LOCAL RULE 56.1 STATEMENT OF MATERIAL FACTS

- I, James J. Fauci, do hereby declare as follows:
- I am an Assistant U.S. Attorney in the Office of the United States Attorney,
 District of Massachusetts. I am a member in good standing of the bar of this Court.
- 2. On behalf of the plaintiff United States of America, I am submitting with this declaration Exhibits in support of the Plaintiff's Opposition to the Roxane Defendants' Motion for Partial Summary Judgment.
 - 3. The following exhibits are true and correct copies of the materials described:

Ex. #	Description
191.	30(b)(6) Deposition of Palmetto (Robin K. Stone), October 14, 2009, selected pages
192.	30(b)(6) Deposition of Cigna (Carolyn Helton), October 16, 2009, selected pages

I swear under the penalties of perjury that the foregoing statements are true and correct.

James J. Fauci

Assistant U.S. Attorney

Executed this 23rd day of November, 2009